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**Early Learning & Children's Services  
Committee**

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**HB 2084**

**Brief Description:** Concerning forensic investigations.

**Sponsors:** Representatives Kagi, Dickerson, Walsh and Chase.

**Brief Summary of Bill**

- Requires that autopsies on children under age three be performed in an accredited facility designed for the performance of autopsies beginning July 1, 2010.
- Specifies that beginning July 1, 2010, the costs for autopsies for children under age three with sudden or unexplained deaths be shared between the county performing the death investigation and the county performing the autopsy when the events occur in different counties.
- Directs that appointments to the State Forensic Investigations Council reflect proportional representation of cities and counties based on their numbers of death investigations, whenever practicable.

**Hearing Date:** 2/20/09

**Staff:** Sydney Forrester (786-7120)

**Background:**

Washington State Forensic Investigations Council.

The Washington State Forensic Investigations Council (Council) is a 12-member committee appointed by the Governor to oversee death investigations as part of the state's criminal justice system. Among other responsibilities, the Council is responsible for developing the protocol for counties to use in the scene investigation of sudden unexplained deaths of children under age three and the protocol to be used in the autopsy of children under age three whose deaths are sudden and unexplained. Protocols do not necessarily prohibit the autopsy being performed in a funeral home.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Autopsies and Death Investigations.

To assist local jurisdiction with the costs of certain types of death investigations, the Council also administers funds from the Death Investigation Account. In certain circumstances, an autopsy and a death investigation may be conducted in different counties if the autopsy is performed in the county where the death occurred and the death investigation is conducted in the county where the decedent resides. These circumstances occur when a child is transported from his or her county to a specialized pediatric hospital in another county but ultimately does not survive and the autopsy is conducted in that county. When separate counties perform the autopsy and the death investigation for the sudden, unexplained death of a child under age three, the county performing the autopsy must be reimbursed by the other county.

### **Summary of Bill:**

Effective July 1, 2010, an autopsy for a child under age three must be performed in a facility accredited by the National Association of Medical Examiners and may not be performed in a funeral home. When conducted by different counties, the costs for the autopsy and the death investigation for the child under age three whose death was sudden and unexplained must be shared equally by the counties.

When appointing members to the Council, the Governor must, whenever practicable, assure that cities and counties with higher rates of death investigations are proportionally represented on the council as compared to cities and counties with lower numbers of death investigations.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.